S.B.CRIMINAL MISC. BAIL APPLICATION NO. 5351/2006
(Krishan Kumar & Anr. Vs. State of Rajasthan)

DATE OF ORDER : 04/12/2006

HON'BLE MR.H.R.PANWAR, J.

Mr. G.R.Bhari for the petitioners.
Mr. V.R.Mehta Public Prosecutor for State.
Mr. R.K.Bohra for the complainant.

Heard learned counsel for the petitioners, Public Prosecutor for the State and the counsel appearing for the complainant. Perused the order impugned.

Learned counsel for the petitioners submits that the husband of the complainant has been arrested and dowry articles have been recovered from him.

Looking to the facts and circumstances of the case and the fact that recovery has already been effected, having considered the oral arguments advanced by both the parties, I consider it just and proper to allow the bail application filed by the petitioners under Section 438 Cr.P.C.

Accordingly, the bail application filed by the petitioners u/s 438 Cr.P.C. is allowed and it is directed that in the event of arrest of petitioners Krishan Kumar S/o Ram Kumar and Dharamveer S/o Krishan Kumar in FIR No. 301/06 P.S. Rajgarh, district Churu, they shall be released on bail for a period till the police concludes the investigation and files the challan provided each of them furnishes a personal bond in the sum of Rs.10,000/- along with one surety of like amount to the satisfaction of Investigating Officer to surrender and appear before the trial court on the date of filing of the challan after conclusion of the investigation on the following conditions:-

(i)That they shall make themselves available for interrogation by

a police officer as and when required;

(ii)That they shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer and;

(iii)That they shall not leave India without the previous permission of the Court.

The petitioners shall surrender before the trial court on the date of filing of the challan and move a regular bail.

(H.R.PANWAR), J.

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